

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ACTUS, LLC,

Plaintiff,

v.

BANK OF AMERICA CORP., et al.

Defendants.

CIVIL ACTION NO. 2:09-cv-102-TJW

JURY TRIAL DEMANDED

ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal with Prejudice of all claims and counterclaims asserted between Plaintiff, Actus LLC, and Defendant, MasterCard International, Inc., in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between Plaintiff, Actus, LLC, and Defendant, MasterCard International, Inc., are hereby dismissed with prejudice.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.